

SECOND REGULAR SESSION

HOUSE BILL NO. 1913

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McGEORGHEGAN (Sponsor), GRISAMORE, KRATKY, CONWAY (14), ATKINS, OXFORD, PHILLIPS, HOUGHTON, LAUER, COOKSON, SCHNEIDER, HUMMEL, AULL, RIZZO, CARTER, KELLY (24), JONES (63), STILL, McNEIL, PACE, McCANN BEATTY, HODGES, GATSCHENBERGER, TORPEY, SIFTON, NEWMAN, FALLERT, CASEY, CONWAY (27), WALTON GRAY, SMITH (71), HARRIS, SWEARINGEN, ANDERS, HUBBARD, ELLINGTON, MONTECILLO, SCHUPP, MAY, COLONA, MORGAN, ELLINGER, QUINN, WYATT, CARLSON, BROWN (85), LICHTENEGGER AND SCHIEFFER (Co-sponsors).

6102L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 301.143, RSMo, and to enact in lieu thereof one new section relating to lift van accessible parking spaces, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 301.143, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 301.143, to read as follows:

301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or card issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. The sign described in this subsection shall also state, or an additional sign shall be posted below

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 or adjacent to the sign stating, the following: "\$50 to \$300 fine.". Beginning August 28, [2011]
15 **2012**, when any political subdivision or owner of private property restripes a parking lot or
16 constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be
17 served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van
18 accessible only" with signs that meet the requirements of the federal Americans with Disabilities
19 Act, as amended, and any rules or regulations established pursuant thereto. **Such signs shall**
20 **also contain the words "Allow 8' For Lift Deployment".**

21 3. Any political subdivision, by ordinance or resolution, and any person or corporation
22 in lawful possession of a public off-street parking facility or any other owner of private property
23 may designate reserved parking spaces for the exclusive use of vehicles which display a
24 distinguishing license plate or card issued pursuant to section 301.071 or 301.142 as close as
25 possible to the nearest accessible entrance. Such designation shall be made by posting
26 immediately adjacent to, and visible from, each space, a sign upon which is inscribed the
27 international symbol of accessibility, and may also include any appropriate wording to indicate
28 that the space is reserved for the exclusive use of vehicles which display a distinguishing license
29 plate or card.

30 4. The local police or sheriff's department may cause the removal of any vehicle not
31 displaying a distinguishing license plate or card on which is inscribed the international symbol
32 of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled
33 veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or card
34 issued by any other state from a space designated for physically disabled persons if there is
35 posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed
36 the international symbol of accessibility and may include any appropriate wording to indicate that
37 the space is reserved for the exclusive use of vehicles which display a distinguishing license plate
38 or card. Any person who parks in a space reserved for physically disabled persons and is not
39 displaying distinguishing license plates or a card is guilty of an infraction and upon conviction
40 thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred
41 dollars. Any vehicle which has been removed and which is not properly claimed within thirty
42 days thereafter shall be considered to be an abandoned vehicle.

43 5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license
44 plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal
45 Americans with Disabilities Act, as amended, and any rules or regulations established pursuant
46 thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated
47 by political subdivisions in residential areas for the exclusive use of vehicles displaying a
48 distinguishing license plate or card issued pursuant to section 301.071 or 301.142 shall meet the
49 requirements of the federal Americans with Disabilities Act pursuant to this subsection and any

50 such space shall have clearly and visibly painted upon it the international symbol of accessibility
51 and any curb adjacent to the space shall be clearly and visibly painted blue.

52 6. Any person who, without authorization, uses a distinguishing license plate or card
53 issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority
54 of this section shall be guilty of a class B misdemeanor.

55 7. Law enforcement officials may enter upon private property open to public use to
56 enforce the provisions of this section and section 301.142, including private property designated
57 by the owner of such property for the exclusive use of vehicles which display a distinguishing
58 license plate or card issued pursuant to section 301.071 or 301.142.

59 8. Nonconforming signs or spaces otherwise required pursuant to this section which are
60 in use prior to August 28, 2011, shall not be in violation of this section during the useful life of
61 such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs
62 or spaces be extended by means other than those means used to maintain any sign or space on
63 the owner's property which is not used for vehicles displaying a disabled license plate.

64 9. Beginning August 28, 2011, all new signs erected under this section shall not contain
65 the words "Handicap Parking" or "Handicapped Parking".

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